

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 16481 of 2004

Between:

Jogaiah S/o Pentaiah
R/o Yengandla Village, Kulcharam (Man), Medak District

..... PETITIONER

AND

- 1 The Joint Collector, Medak District, Sangareddy
- 2 The Revenue Divisional Officer, Medak Division,
Medak, Medak District.
- 3 The Mandal Revenue Officer, Kulcharam Mandal, Medak District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of the Writ of Mandamus declaring the action of the 1st respondent in not passing orders in interlocutory application file seeking stay of impugned proceedings No. J/143/2004, dated 16-6-2004, passed by the 2nd respondent and in not disposing of the appeal dated 7-2004 filed by the petitioner as illegal and arbitrary, and direct the 1st respondent to dispose of the appeal expeditiously.

Counsel for the Petitioner: MR.V.VENUGOPALA RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.16481 OF 2004

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ORDER:

Petitioner is an authorized dealer of Fair Price Shop of Yengandla village, Kulcharam Mandal, Medak District. The petitioner's authorization was suspended by the Revenue Divisional Officer by his proceedings dated 16-06-2004, pending enquiry into the alleged irregularities in distribution of the essential commodities. Against the said order, the petitioner preferred an appeal before the first respondent-Joint Collector, Medak District, Sangareddy.

2. The grievance of the petitioner is that though the said appeal has been filed long back in July, 2004, the first respondent failed to consider the same, and no orders have been passed even on his application for stay, so far. In the meanwhile, the second respondent is taking steps to notify the vacancy and to appoint the dealer in respect of the shop in question.

3. I have heard the learned counsel for the petitioner and learned Government Pleader for Civil Supplies appearing for the respondents, and perused the material on record.

4 . Having regard to the facts and circumstances of the case, without expressing any opinion on merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the appeal pending on his file, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. It is made clear that till the disposal of the appeal, the second respondent shall not make any appointment either temporary or permanent, in respect of the shop in question.

5. With the above observations, the Writ Petition is disposed of. No costs.

15th September, 2004

SKM

Note:

Furnish C.C.

within one week.

B/o.

skm

To

1 The Joint Collector, Medak District, Sangareddy

2 The Revenue Divisional Officer, Medak Division,

Medak, Medak District.

3 The Mandal Revenue Officer, Kulcharam Mandal, Medak District

4 Two C.Cs. to G.P. for Civil Supplies,

High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

5 Two C.D. Copies.